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**UNITED STATES DISTRICT COURT**

**District of Minnesota**

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United States of America,

**Case No. Civ. No. 12-73 (RHK)**

**CR 10-58 (RHK/JJG)**

Plaintiff,

v.

**JUDGMENT IN A CRIMINAL CASE**

Yem Nguyen

Defendant.

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(X) **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED THAT:**

(1) Defendant's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody" (Doc. No. 70) is **DENIED ON THE MERITS AND WITH PREJUDICE**; and

(2) Defendant will **NOT** be granted a Certificate of Appealability in this matter.

Date: June 4, 2012

RICHARD D. SLETTEN, CLERK

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s/ Kim Krulas

(By) Kim Krulas, Deputy Clerk